

## Remarks

### Status of the Application

Applicants respectfully request reconsideration of the rejections set forth in the Office Action mailed on June 03, 2003.

- Claims 1-19 have been rejected under 35 U.S.C. § 103 as being unpatentable.

Thus, claims 1-19 are pending in the current application.

### The Claims

#### **Rejections Under 35 U.S.C. § 103**

##### Claims 1, 2, 5-7, 11-15, and 18

The Examiner has rejected claims 1, 2, 5-7, 11-15, and 18 under 35 U.S.C. § 103 as being unpatentable by U.S. Patent No. 4,437,382 to *Yerushalmi* (*Yerushalmi*). Applicants respectfully traverse. *Yerushalmi* discloses a bomb disposal device wherein an outer housing is pivotably mounted on horizontal axles (*see* Figure 1; col. 2, ll. 43-64). As described therein, netting (element 32) may be used to remotely draw an explosive through the outer housing into the inner housing (*see* col. 3, ll. 36-46).

In contrast, claim 1 has been amended to explicitly require, “a means for lining the inner containment vessel such that the explosive device is at least partially suspended.” Support for the proposed amendment may be found in the Specification at page 6, lines 5-20. As such, the netting to remotely draw an explosive into the disposal device described by *Yerushalmi* does not line the inner containment vessel.

Claim 1 further requires, “wherein engagement of said rotating means causes at least one of said containment vessels to rotate... such that debris, blast pressure, and fireball from explosion of an explosive device within said inner vessel are safely contained or severely mitigated.” Thus, claim 1 requires containment or severe mitigation of the explosive devices. In contrast, *Yerushalmi* specifically discloses that the explosive gases are directed downward and outward from the containment device (*see* col. 1, ll. 45-52). As such, Applicants submit that *Yerushalmi* does not teach the required elements of claim 1.

Therefore, for at least the reasons stated above, Applicants submit that independent claim 1 is patentable over the cited art and therefore respectfully requests reconsideration of the above rejection.

Independent claim 18 is a method claim that recites substantially the same limitations as does claim 1 and therefore the Applicants contend that claim 18 is also allowable over the cited art for at least the reasons cited for independent claim 1.

#### 2, 5-7, and 11-15

Dependent claims 2, 5-7, and 11-15 depend either directly or indirectly from independent claim 1 and are therefore also allowable over the cited art for at least the reasons stated for claim 1.

Further, the dependent claims require additional elements that when considered in context of the claimed inventions further patentably distinguish the invention from the cited art. In particular, claim 2 has been amended to require, “the outer surface of said inner containment vessel is contoured to the inner surface of said outer containment vessel with a small clearance therebetween such that a close tolerance is maintained between the outer containment vessel and the inner containment vessel.” Support for this amendment is found in the Specification at page 6, lines 22-30. The purpose of maintaining close tolerances is to limit the excursion of potentially hazardous materials and biomaterials (*see* Specification p. 4, ll. 24-26). As noted above, *Yerushalmi* specifically discloses that the explosive gases are directed downward and outward from the containment device (*see* col. 1, ll. 45-52). As such, Applicants submit that *Yerushalmi* does not disclose the required elements of claim 2.

Therefore, for at least the reasons stated above, Applicants submit that claim 2 is patentable over the cited art and therefore respectfully requests reconsideration of the above rejection.

#### Claims 3 and 4

The Examiner has rejected claims 3 and 4 under 35 U.S.C. § 103 as being unpatentable by *Yerushalmi* in view of U.S. Patent No. 4,432,285 to *Boyars et al.* (*Boyars*).

Dependent claims 3 and 4 depend either directly or indirectly from independent claim 1 and are therefore also allowable over the cited art for at least the reasons stated for claim 1.

Furthermore, the Examiner’s secondary reference, *Boyars*, adds nothing to reasonably cure the deficiencies in *Yerushalmi*.

Thus for at least the reasons stated above, Applicants submit that dependent claims 3 and 4 are patentable over the cited art and therefore respectfully request reconsideration of the above rejection.

#### Claims 8-10

The Examiner has rejected claims 8-10 under 35 U.S.C. § 103 as being unpatentable by *Yerushalmi* in view of U.S. Patent No. 5,684,264 to *Cassells et al.* (*Cassells*).

Dependent claims 8-10 depend either directly or indirectly from independent claim 1 and are therefore also allowable over the cited art for at least the reasons stated for claim 1.

Furthermore, the Examiner's secondary reference, *Cassells*, adds nothing to reasonably cure the deficiencies in *Yerushalmi*.

Thus for at least the reasons stated above, Applicants submit that dependent claims 8-10 are patentable over the cited art and therefore respectfully request reconsideration of the above rejection.

#### Claims 16-17, and 19

The Examiner has rejected claims 16-17, and 19 under 35 U.S.C. § 103 as being unpatentable by *Yerushalmi* in view of U.S. Patent No. 3,820,435 to *Rogers et al.* (*Rogers*).

Dependent claims 16-17 depend directly from independent claim 1 and are therefore also allowable over the cited art for at least the reasons stated for claim 1.

Furthermore, the Examiner's secondary reference, *Rogers*, adds nothing to reasonably cure the deficiencies in *Yerushalmi*.

Independent claim 19 recites at least the same limitations as does claim 1 and therefore the Applicants contend that claim 19 is also allowable over the cited art for at least the reasons cited for independent claim 1.

Thus for at least the reasons stated above, Applicants submit that dependent claims 8-10 are patentable over the cited art and therefore respectfully request reconsideration of the above rejection.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

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